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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 THE BANK OF NEW YORK MELLON, F/K/A  
12 BANK OF NEW YORK TRUST COMPANY,  
13 NATIONAL ASSOCIATION, AS SUCCESSOR  
14 IN INTEREST TO JPMORGAN CHASE  
BANK, NATIONAL ASSOCIATION, AS  
TRUSTEE FOR THE MLMI SURF TRUST  
SERIES 2005-BC4,

15 Plaintiff,

16 vs.

17 RIVERWALK HOMEOWNERS  
ASSOCIATION; JERRY GUTZMER; DOE  
18 INDIVIDUALS I-X, inclusive, and ROE  
CORPORATIONS I-X, inclusive,

19 Defendants.  
20

Case No.: 2:15-cv-01178-RFB-NJK

**STIPULATION AND ORDER TO EXTEND  
DEADLINE FOR THE BANK OF NEW  
YORK MELLON TO FILE RESPONSE TO  
JERRY GUTZMER'S MOTION TO  
DISMISS**

21 IT IS HEREBY STIPULATED between plaintiff, The Bank of New York Mellon, f/k/a Bank  
22 of New York Trust Company, National Association, as successor in interest to JPMorgan Chase  
23 Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC4 (**BNY Mellon**),  
24 by and through its attorney of record, Christine M. Parvan, Esq. of the law firm Akerman, LLP, and  
25 defendant Jerry Gutzmer, by and through his attorney of record, Luis A. Ayon, Esq., of the law firm  
26 Maier Gutierrez Ayon, to extend the deadline for BNY Mellon to respond to Defendant Jerry  
27 Gutzmer's Motion to Dismiss [Dkt. 11] to **August 14, 2015**. BNY Mellon requests this second brief  
28

extension of time due to a death in the undersigned counsel's family. Accordingly, defendant's reply will be due **August 24, 2015**.

This is the parties' second request for an extension and is not intended to cause any delay or prejudice to any party.

DATED: August 11, 2015

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<i>Attorneys for Defendant, Jerry Gutzmer</i>	<i>Attorneys for Plaintiff</i>

**ORDER**

IT IS SO ORDERED.

Dated this 27th day of August, 2015.



RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

Submitted by:

**AKERMAN LLP**

/s/ Christine M. Parvan, Esq.

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